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June 3, 2014

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VIA E-MAIL AND U.S. MAIL

Alex Gurza
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Office of the City Manager, City of San Jose
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E-Mail: alex.gurza@sanjoseca.gov

Re: Proposed Retirement Board Governance Changes
File No.: 040507

Dear Alex:

Thank you for your letter of May 30, received by Jim Unland and the POA.

The POA did attend, along with representatives of other bargaining units, the hour-long informational session with the City and representatives of the Retirement Board. We preceded that meeting with a letter, dated May 14, 2014. In that letter, the POA made it clear that it considered many of the changes to be within the scope of bargaining and that we were NOT waiving any of our rights within Article 19 of the MOA. We presented our position on what issues, among the many contemplated in the City proposal, we considered to be within the scope of bargaining.

The City has yet to respond to our letter.

Jim and I reiterated at the meeting on the May 21 that our attendance was not intended to waive any rights under the MOA.

Accordingly, the POA declines to meet further to discuss these changes in the "all bargaining unit" format contemplated in your letter.

Jim explained the areas where the POA was willing to discuss further changes and those areas that we will not accept, such as the qualifications of the members of the Police and Fire Retirement Board and the delegation to the City of a fifth selection

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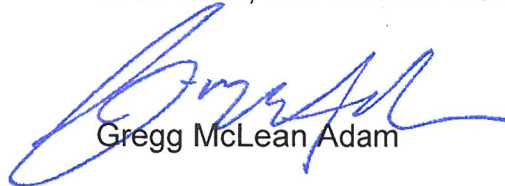
on the Board. As to those issues, the City cannot move forward as a matter of contract.

If you wish to discuss further the areas the POA previously indicated were acceptable to it, please provide us with your availability for a meeting with just the POA.

And please provide us with the City's position in response to our letter of May 14 at your earliest opportunity.

Very truly yours,

CARROLL, BURDICK & McDONOUGH LLP



Gregg McLean Adam

GMA:jo

cc: Jim Unland, President, San Jose POA
John Robb, Vice President, San Jose POA
Franco Vado, Chief Financial Officer, San Jose POA
Jennifer Schembri, Deputy Director Employee Relations